

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

Claims 1-28 (canceled)

Claim 29 (currently amended): An anode active material comprising:

an alloy material including an element M capable of being alloyed with lithium selected from metal elements and metalloid elements and at least one kind of element R selected from elements with an atomic number of 20 or less, except for hydrogen, lithium and a noble gas, wherein

the content of the element R ranges from about 10 wt% to about 50 wt%;

the alloy material includes a reactive phase with lithium, and

a half-width of a diffraction peak obtained by X-ray diffraction analysis of the reactive phase is about 5° or more.

Claim 30 (canceled):

Claim 31 (previously presented): An anode active material according to claim 29, wherein

as the element R, at least one kind selected from the group consisting of boron, carbon, aluminum, silicon, phosphorus and sulfur is included.

Claim 32 (previously presented): An anode active material according to claim 29, wherein

as the element M, tin and at least one kind selected from the group consisting of nickel, copper, iron, cobalt, manganese, zinc, indium and silver are included.

Claim 33 (previously presented): An anode active material according to claim 29, wherein

the specific surface area ranges from about 1.0 m<sup>2</sup>/g to about 70 m<sup>2</sup>/g.

Claim 34 (previously presented): An anode active material according to claim 29, wherein

the median size is about 50 μm or less.

Claim 35 (withdrawn): An anode active material, comprising:  
an alloy material including tin and at least one kind of element R selected from elements with an atomic number of 20 or less, except for hydrogen, lithium and a noble gas, wherein a content of the element R ranges from about 10 wt% to about 50 wt%.

Claim 36 (withdrawn): An anode active material according to claim 35, wherein a diffraction peak having a half-width of about  $0.5^\circ$  or more is obtained by X-ray diffraction analysis.

Claim 37 (withdrawn): An anode active material according to claim 35, wherein as the element R, at least one kind selected from the group consisting of boron, carbon, aluminum, silicon, phosphorus and sulfur is included.

Claim 38 (withdrawn): An anode active material according to claim 35, wherein at least one kind selected from the group consisting of nickel, copper, iron, cobalt, manganese, zinc, indium and silver is further included.

Claim 39 (withdrawn): An anode active material according to claim 35, wherein a specific surface area ranges from about  $1.0 \text{ m}^2/\text{g}$  to about  $70 \text{ m}^2/\text{g}$ .

Claim 40 (withdrawn): An anode active material according to claim 35, wherein the median size is about  $50 \mu\text{m}$  or less.

Claim 41 (withdrawn): A method of manufacturing an anode active material, the anode active material comprising an alloy material which includes an element M capable of being alloyed with lithium selected from metal elements and metalloid elements and at least one kind of element R selected from elements with an atomic number of 20 or less except for hydrogen, lithium and a noble gas, the method comprising using a material including the element M and a material including the element R to synthesize the anode active material by a mechanical alloying method.

Claim 42 (withdrawn): A method of manufacturing an anode active material according to claim 41, wherein the element M is tin.

Claim 43 (withdrawn): A method of manufacturing an anode active material according to claim 42, wherein

when the anode active material is synthesized by the mechanical alloying method, a material further including at least one kind selected from the group consisting of nickel, copper, iron, cobalt, manganese, zinc, indium and silver is used.

Claim 44 (withdrawn): A method of manufacturing an anode active material according to claim 42, wherein

as a material including tin, an alloy including tin and at least one kind selected from the group consisting of nickel, copper, iron, cobalt, manganese, zinc, indium and silver is used.

Claim 45 (currently amended): A nonaqueous electrolyte secondary battery, comprising:

a cathode;

an anode; and

a nonaqueous electrolyte,

wherein the anode includes an alloy material including an element M capable of being alloyed with lithium selected from metal elements and metalloid elements and at least one kind of element R selected from elements with an atomic number of 20 or less except for hydrogen, lithium and a noble gas, wherein

a content of the element R in the alloy material ranges from about 10 wt% to about 50 wt%,

the alloy material includes a reactive phase with lithium, and  
the half-width of a diffraction peak obtained by X-ray diffraction analysis of the reactive phase is about 5° or more.

Claim 46 (canceled):

Claim 47 (previously presented): An nonaqueous electrolyte secondary battery according to claim 45, wherein

the alloy material includes at least one kind selected from the group consisting of boron, carbon, aluminum, silicon, phosphorus and sulfur.

Claim 48 (previously presented): An nonaqueous electrolyte secondary battery according to claim 45, wherein

the alloy material includes tin and at least one kind selected from the group consisting of nickel, copper, iron, cobalt, manganese, zinc, indium and silver as the element M.

Claim 49 (previously presented): A nonaqueous electrolyte secondary battery according to claim 45, wherein

in the alloy material, a specific surface area ranges from about  $1.0 \text{ m}^2/\text{g}$  to about  $70 \text{ m}^2/\text{g}$ .

Claim 50 (previously presented): A nonaqueous electrolyte secondary battery according to claim 45, wherein

in the alloy material, the median size is about  $50 \text{ }\mu\text{m}$  or less.

Claim 51 (withdrawn): A nonaqueous electrolyte secondary battery, comprising:  
a cathode;  
an anode; and  
a nonaqueous electrolyte,  
wherein the anode includes an alloy material including tin and at least one kind of element R selected from elements with an atomic number of 20 or less except for hydrogen, lithium and a noble gas, and

a content of the element R in the alloy material ranges from about 10 wt% to about 50 wt%.

Claim 52 (withdrawn): A nonaqueous electrolyte secondary battery according to claim 51, wherein

the alloy material obtains a diffraction peak having a half-width of about  $0.5^\circ$  or more by X-ray diffraction analysis.

Claim 53 (withdrawn): A nonaqueous electrolyte secondary battery according to claim 51, wherein

the alloy material includes at least one kind selected from the group consisting of boron, carbon, aluminum, silicon, phosphorus and sulfur as the element R.

Claim 54 (withdrawn): A nonaqueous electrolyte secondary battery according to claim 51, wherein

the alloy material further includes at least one kind selected from the group consisting of nickel, copper, iron, cobalt, manganese, zinc, indium and silver.

Claim 55 (withdrawn): A nonaqueous electrolyte secondary battery according to claim 51, wherein

in the alloy material, a specific surface area ranges from about  $1.0 \text{ m}^2/\text{g}$  to about  $70 \text{ m}^2/\text{g}$ .

Claim 56 (withdrawn): A nonaqueous electrolyte secondary battery according to claim 51, wherein

in the alloy material, the median size is about 50  $\mu\text{m}$  or less.